



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning & Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3009478

Applicant Name: Jeff Babienko for the Seattle Parks Department

Address of Proposal: 1745 24th Avenue South – Colman Park Shelter House

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a new 1,500 sq. ft. single story building (garden house) and a 1,387 sq. ft. interior remodel of existing two story shelter house in an environmentally critical area (Colman Park). Project includes new landscaping and plaza. Determination of Non-Significance prepared by Seattle Parks and Recreation.

The following approval is required:

Administrative Conditional Use - SMC 23.45.116 & 122; Institutions within Multi-family zones not meeting development standards.

SEPA – for conditioning only – SMC Section 25.05.600.D

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS
 ☐ DNS with conditions
 ☒ DNS involving non-exempt grading, or demolition,
 or involving another agency with jurisdiction.

BACKGROUND DATA

Existing Conditions

The project site is located within the North Rainier Hub Urban Village between South Massachusetts and South Grand Streets and South 23rd and South 24th Avenues. The property is zoned Lowrise, Duplex, Triplex (LDT). Adjacent zoning to the north and east is LDT. Zoning to the west is Lowrise 3 (L3) and Commercial 1 with a 65 foot height limit (C1 – 65) and the zoning to the south is C1 – 65, Lowrise 2



(L2) and LDT. The site is classified as an Environmentally Critical Area (ECA) which is mapped as Steep Slopes greater than 40%. This site is also considered to contain Potential Landslide Hazard ECA. An ECA Exemption has been granted based on previous legal grading. The exemption is considered “limited” and will still require ECA review. The threshold disturbance level has been waived which does not require an application for a Steep Slope Variance but the development standards for a Potential Landslide Hazard ECA still applies.

Surrounding land uses consist of a group home, single-family structures and townhomes to the east, a church and single-family structures to the south, a warehouse and apartments to the west and the Jimi Hendrix Park and the Urban League Village (housed in the old Colman School) located to the north.

The site is currently occupied by Colman Playground which consists of a baseball diamond, a basketball court and play equipment. The existing shelter house was constructed by the Works Progress Administration (WPA) in 1937 – 1938. Even though this building is over 50 years old, it is not considered to be an historic landmark.

Adjacent rights-of-way 24th Avenue South and South grand St are improved with hard surface roadways and sidewalks. They are not improved with curbs and gutters. Twenty-third Avenue South and South Massachusetts Street are considered to be city arterials. The Seattle Department of Transportation (SDOT) Arterial List shows that the 23rd Avenue South segment adjacent to the site is improved with paved street, curbs, gutters, and sidewalks but may have an inadequate street paving width. South Massachusetts Street is shown to be improved with paved street, sidewalks, and street trees. This street also does not have curbs or gutters and per the SDOT Arterial List, this segment also is not paved to the required pavement width.

Proposal

The project proposes to renovate the existing 937 sq. ft. shelter house which includes seismic upgrades, asbestos and lead paint abatement, new building insulation and infrastructure. The renovation will also modify the floor plan to include a 1,485 sq. ft. one-story addition to house the proposed program that will benefit special needs children by providing ½-day preschool classes for up to 10 children, an after school program for up to 10 children and occasional school field trips for 10 – 30 children. During the summer there will also be a ½-day program for up to 20 children per week. There will be 2 full-time and 2 part-time employees. Physical therapy sessions will also be provided for the children enrolled in the program. Sessions will be from 1 to 3 hours, one or two per day, 5 days per week with occasional weekend events. Programs will take place within the buildings and outside utilizing the new play garden and the adjacent park area. The park will also be available for other existing programs and general park use.

The intent of the new facility is to provide recreational, therapeutic and educational opportunities for children of all ages and developmental levels. The emphasis is on those children whose physical or mental limitations make accessing a regular playground or sports facility difficult, while striving to create a place where all children are welcome.

The facility will also provide a new play 6,300 sq. ft. play plaza the will include a performance amphitheater, grass climbing mounds, a ‘volcano’ climbing feature constructed of resilient matting and an interactive water feature.

Public Comment

The public comment period for the proposed project ended on October 22, 2008. Public Notice was reposted to reflect the added ACU application component on January 1, 2009 and ended January 14, 2009. No comments were received by DPD during either of these public notice periods.

ANALYSIS – ADMINISTRATIVE CONDITIONAL USE PERMIT (ACU)

SMC 23.45.116 Administrative conditional uses – General provisions.

- A. *Only those uses identified in this subchapter as conditional uses may be authorized as conditional uses in multifamily zones. The master use permit process shall be used to authorize these uses.*

A day care center is an institutional use authorized by this subchapter.

- B. *Unless otherwise specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright in Subchapter I.*

The proposed institutional use does not meet the specific development standards as enumerated within the land use code (SMC 23.45.122). Therefore, an ACU is required to establish the proposed use.

- C. *The Director may approve, condition or deny a conditional use. The Director's decision shall be based on a determination whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

Please refer to the following analysis.

- D. *In authorizing a conditional use, the Director may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest.*

Please refer to the following analysis.

- E. *The Director shall issue written findings of fact and conclusions to support the Director's decision.*

This Report and Decision contains the Director's findings and conclusions relevant to establishing this proposed institutional use.

- F. *Any authorized conditional use which has been discontinued shall not be reestablished or recommenced except pursuant to a new conditional use permit. The following shall constitute conclusive evidence that the conditional use has been discontinued:*

1. *A permit to change the use of the property has been issued and the new use has been established; or*

There have been no other authorized conditional uses on the property which have been discontinued. No permits changing the use of the property or establishing the proposed use have been issued.

2. *The property has not been devoted to the authorized conditional use for more than twenty-four (24) consecutive months.*

Property which is vacant, except for dead storage of materials or equipment of the conditional use, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use. A conditional use in a multifamily structure or a multi-tenant commercial structure shall not be considered as discontinued unless all units are either vacant or devoted to another use.

The property has not been devoted to this proposed institutional use prior to this application.

SMC 23.45.122 Institutions other than public schools not meeting development standards.

Institutions other than public schools which do not meet development standards established in Section 23.45.090 may be permitted in multifamily zones as administrative conditional uses. The provisions of this section shall apply to Major Institution uses as provided in Chapter 23.69, Major Institution Overlay District.

The following criteria shall be used to evaluate and/or condition the proposals:

- A. *Bulk and Siting. In order to accommodate the special needs of the proposed institution, and to better site the facility with respect to its surroundings, the Director may modify the applicable development standards for modulation, landscaping, provision of open space, and structure width, depth and setbacks. In determining whether to allow such modifications, the Director shall balance the needs of the institution against the compatibility of the proposed institution with the residential scale and character of the surrounding area.*

Currently zoned Lowrise, Duplex, Triplex (LDT) the land is owned by the Seattle Parks Department. The existing use is a Public Park with a basketball court and athletic field. The existing Colman Shelter House is currently vacant. The proposed new facility, “The Seattle Children’s PlayGarden”, is compatible with the existing public park. The intent of the PlayGarden facility is to provide recreational, therapeutic and educational opportunities for children of all ages and developmental levels. The emphasis is on those children whose physical or mental limitations make accessing a regular playground or sports facility difficult, while striving to create a place where all children are welcome. The amenities required to foster growth and development in the children will be split between the existing renovated 2 story 1,387 sq. ft. Coleman Shelter House and a new single story 1,500 sq. ft. Garden House.

Children with special needs come in all sizes and ability levels. Children using the facility who are typically developing as well as those with Special Needs including:

- **Movement disorders such as cerebral palsy-affecting both small muscle and large muscle skills.**
- **Sensory impairments such as hearing and/or vision impairment, tactile defensiveness.**
- **Cognitive impairment from mild to severe.**
- **Difficulties with attention, focus and activity level.**
- **Feeding difficulties.**
- **Social or interpersonal disorders such as Autism.**

Children will use the facility by:

- **Participating in gardening and recreational activities.**
- **Attending after school programs.**
- **Summer Camps.**
- **Dropping in to play/ explore.**

Staffing, use, hours of operation & programming:

- **2 full-time and 2 part time employees.**
- **Employees will Park on 24th Avenue South.**
- **The facility is run by a non-profit organization which has entered into a long term lease with the Seattle Parks Department.**
- **Therapy room in the Shelter Building will be used for recreational and physical therapy sessions or classes between a therapist or instructor with a single child or small group of 3-5 children.**
- **Programs will run part-time, for 1-3 hour sessions, one or two per day, 5 days per week, with periodic weekend events.**
- **The main spaces are designed to handle the following maximum occupancy loads:**
 - ✓ **Garden House: 20 People.**
 - ✓ **Shelter Building (upper floor): 12 People.**
 - ✓ **Shelter Building (lower floor): 7 People.**
- **The buildings are reserved for small group use; programs are structured to take place outside in Garden / Park.**

School Year Programs:

- **Half-day Preschool classes of 10 Children.**
- **After School program of 10 Children.**
- **School field trips of 10-30 Children.**

Summer Programs:

- **Half-day program for 20 Children per week**

Maximum occupancy as identified above may be achieved during a periodic weekend event.

The proposed facility does meet the development standards for structure height (SMC 23.45.092), Structure Width and Depth (SMC 23.45.094), provision of open space.

- B. Dispersion Criteria. An institution which does not meet the dispersion criteria of Section 23.45.102 may be permitted by the Director upon determination that it would not substantially aggravate parking shortages, traffic safety hazards, and noise in the surrounding residential area.*

The project is located within 600' of two other Institutions. The African American Museum is located approximately 60 feet (Lot line to Lot Line or 500' Building to Building) to the north and the Japanese Presbyterian Church is located approximately 40 feet (Lot line to Lot line or 140' Building to Building) to the south. The proposed institution is small, less than 4,000 sq. ft. including the existing and proposed buildings and sits within a 121,968 sq. ft. park (Colman Playground is 2.8 acres). The proposed use will be separated from the surrounding institutions by the large open space that hosts a large playfield area consisting of a baseball diamond at the northeastern corner and a basketball court located within the middle of the park.

The proposal will mainly serve less than 25 children (the applicant has indicated that groups of up to 30 may occasionally visit the PlayGarden). The proposed new one-story structure is 1,500 sq. ft. and when combined with the existing Shelter House the proposed facility will be of consistent scale with the surrounding residential buildings. By comparison the other institutional uses in the immediate area are of a much larger scale (e.g. the multi-story African American Museum). The proposed PlayGarden buildings and garden area will not impose a physical scale and bulk incompatible with the surrounding neighborhood.

The use will be limited and not create traffic safety hazards, since it is predominantly a dropoff and pick-up facility. It appears that there is adequate on-street parking which can accommodate the facility's short term parking needs (e.g. 2 full-time and 2 part-time employees). The proposal should not create or exacerbate on-street parking shortages. A designated drop-off and pick-up point will help to minimize potential traffic conflicts with the surrounding neighborhood uses and other park users that happen to have an organized activity at the park when the PlayGarden area is in operation.

The PlayGarden will be similar in character to the overall use of the existing playfield; the proposed use should not significantly increase noise levels to the detriment of surrounding residents.

- C. Noise. The Director may condition the permit in order to mitigate potential noise problems. Measures to be used by the Director for this purpose include, but are not limited to the following: landscaping, sound barriers or fences, mounding or berming, adjustments to yards or the location of refuse storage areas, or parking development standards, design modification and fixing of hours for use of areas.*

Anticipated noise levels generated by the Seattle Children's PlayGarden will include children playing and are consistent with the existing playground and sports field. Construction noise is addressed within the SEPA review below.

Programs will run part-time, for 1-3 hour sessions, one or two per day, 5 days per week, with periodic weekend events.

The noise generated will be further mitigated by location of the proposed development and the existing Colman Shelter Building, existing mature vegetation, sports field to the North, and open field to the South and the proposed landscaping and working garden proposed to the East.

The proposed accessory structures to the PlayGarden are set back +/- 145' from 24th Avenue South and +/- 50' from 23rd Avenue South. No program functions are planned in the setback along 23rd Avenue South. The steep slope along 23rd Avenue South and South Grand Street includes extensive mature vegetation which will shield the existing Colman Shelter Building and proposed new Garden House from the arterial traffic on 23rd Avenue South and other uses to the west. The location is also more than 300' from South Massachusetts Street. Any noise generated by the proposed use will dissipate by the time it reaches beyond the property lines or will be below ambient noise levels given the location to the bordering arterial streets (west and north) and the elevation above the western and southern streets.

D. Transportation Plan.

- 1. A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of structure area and/or required to provide twenty (20) or more parking spaces.*

The proposed use is a new institution. A Technical Memorandum (TM) dated February 5, 2009 was prepared for the applicant by Heffron Transportation, Inc. This TM reviewed transportation impacts and recommended a transportation plan that will fit the proposed institutional use and adequately addresses potential transportation related impacts. Required parking (SMC 23.54.015, Chart C, Item C) is the greater of one per each employee (4 total) or each 10 children (up to 30 as indicated by the applicant which would equal 3 spaces).

- 2. The Director shall determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution. Consideration of the following elements and other similar factors may be required:*
 - a. Traffic. Number of staff during normal working hours; users, guests and others regularly associated with the institution; level of vehicular traffic generated; traffic peaking characteristics of the institution and the immediate area; likely vehicle use patterns; extent of congestion; types and number of vehicles associated with the use; and mitigating measures to be taken by the applicant;*

Addressed.

- b. Parking Area. Number of spaces; extent of screening from public or abutting lots; direction of vehicle light glare; direction of lighting; sources of possible vibration; prevailing direction of exhaust fumes; location of driveway and curb cuts; accessibility and convenience of the parking area; and mitigating measures to be taken by the applicant, such as parking space preferences for carpool or vanpool vehicles and provisions for bicycle racks;*

Not applicable.

- c. Parking Overflow. Number of vehicles expected to park in the street; percentage of on-street parking supply to be used by the proposed use; opportunities available to share existing parking areas; trends in local area development and mitigating measures to be taken by the applicant;*

Addressed.

- d. Safety. Number of driveways which cross pedestrian walkways; location of passenger loading areas;*

Not applicable.

- e. Availability of Mass Transportation. Bus route location and frequency of service; private transportation programs, including carpools and vanpools, to be provided by the applicant.*

Not applicable.

- 3. The Director may condition a permit to mitigate potential traffic and parking problems. Measures which may be used by the Director for this purpose include, but are not limited to, the following:*

- a. Implementing the institution's transportation plan to encourage use of public or private mass transit;*

Not required.

- b. Increasing on-site parking or loading space requirements to reduce overflow of vehicles into the on-street parking supply;*

Not required.

- c. Changing access and location of parking;*

Not required.

- d. Decreasing on-site parking or loading space requirements, if the applicant can demonstrate that less than the required amount of parking is necessary due to the specific features of the institution or the activities and programs it offers. In such cases, the applicant shall enter into an agreement with the Director, specifying the amount of parking required and linking the parking reduction to the features of the institution which justify the reduction. Such parking reductions shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.*

The PlayGarden's programs are intended to serve small groups of children. The proposed programs may include 2 full-time and 2 part time employees serving 20 children per week. Existing on-street parking is available and more than adequate to meet the program's parking requirements which are stated above. Furthermore the program of the Seattle Children's PlayGarden is intended to be outside and activity based in a working garden. Reducing the amount of park area is undesirable and detrimental to PlayGarden's programs and activities if off-street parking would be required.

Existing traffic safety needs of the current Park and Playfield are consistent with the needs of the Seattle Children's PlayGarden.

The hours of operation are predominately 8 A.M. – 6 P.M. weekdays. The programs will run part-time, for 1 to 3 hour sessions, one in the morning and an afterschool session, 5 days per week, with periodic weekend events. The Japanese Presbyterian Church to the South (1801 24th Avenue South) experiences its greatest use, traffic, and parking need on Sundays.

Currently, off-street parking is not available at Colman Playground. Park users park within the South 24th Avenue and South Grand Street rights-of-way. It appears that the Japanese Presbyterian Church may cause the greatest impact to on-street parking demand during their normal Sunday church services or when they may have another event outside of their normal hours. It would be necessary for the PlayGarden to have a designated drop off/pick-up location if there would be an event scheduled that would cause a potential conflict where PlayGarden students/visitors could not easily drop-off or retrieve the children. Proactive communication between the PlayGarden staff and the surrounding neighborhood may be needed when potential events may cause competition for on-street parking spaces.

Since off-street parking does not exist and the need for employee parking for the PlayGarden staff is minimal, on-street parking will be satisfactory to meet the off-street parking requirements for the proposed day care. However, the PlayGarden staff will be required to work with SDOT to reserve a suitably sized (per the prepared TM) drop-off/pick-up location along South 24th Avenue near the entrance to the PlayGarden facility.

If future PlayGarden programs expand beyond the identified staffing and student levels, then off-street parking may be required to be provided. It will be up to the Parks Department to monitor this and consult with DPD if the PlayGarden program accommodates more students and staffing.

DECISION-ADMINISTRATIVE CONDITIONAL USE

The conditional use application is **CONDITIONALLY APPROVED** as indicated at the end of this document.

ANALYSIS – STATE ENVIRONMENTAL POLICY ACT (SEPA)

Disclosure of the potential impacts from this project was made in an August 27, 2008 SEPA Checklist. The Seattle Parks and Recreation Department (Parks), acting as the lead agency, issued a Determination of Non-Significance (DNS) on August 28, 2008. The DNS was amended by the Parks Department on October 14, 2008 which disclosed that the Colman Shelter House was potentially eligible for a Landmark designation (the Landmarks Preservation Board staff has indicated to DPD that the proposed work is considered in-kind maintenance and repair and will not require a referral to the Landmarks Preservation Board at this time) and corrected the prior information which was provided in regard to the project's greenhouse gas emissions. The information in the environmental documents, supplemental information provided by the applicant (including plans and additional descriptions), and the experience of DPD with review of similar projects form the basis for this analysis and conditioning decision wherein substantive SEPA conditioning will be considered and imposed as warranted..

The SEPA overview policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations.

Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Elements of the environment considered in the SEPA review include: earth, air quality, water, plants and animals, light and glare, land use, aesthetics, environmental health, transportation and parking, and public utilities. The information provided by the Parks department and its consultants, public comment, and the experience of the lead agency with the review of similar proposals form the basis for review of this proposal. The potential environmental impacts disclosed in the DNS are discussed below.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from grading and clearing and hydrocarbon emissions from construction vehicles and equipment; temporary soil erosion; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; increases in carbon dioxide and other greenhouse gas emissions and consumption of renewable and non-renewable resources.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during construction, 2) Noise Control Ordinance; and 3) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

Construction Traffic & Construction Noise

Traffic will be generated by construction employees, delivery of construction materials, concrete and earth moving equipment working on-site. There is ample room for construction employees to park on 24th Ave S and S Grand St. The proposed construction entrance is off of 24th Ave S and will also serve as the permanent emergency vehicle access after construction is completed.

Due to construction activities and the potential number of truck trips associated with the construction activities, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts on the surrounding residential neighborhood from construction truck traffic and on-site construction noise. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), additional mitigation is warranted.

In addition to the Noise Ordinance requirements, to reduce the noise impact of associated construction truck trips on nearby properties, activities shall be limited to non-holiday weekdays between 7:00 A.M and 6:00 P.M. On-site construction activity will be permitted to start at 7:00 A.M. and must conclude by 6:00 P.M. on non-holiday weekdays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby neighborhood commercial and residential establishments, only low noise impact work shall be permitted on holiday weekdays and Saturdays from 9:00 A.M. to 5:00 P.M.

Air Quality

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other green house gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this specific project. The other types of emissions are considered under the use-related impacts discussed later in this document. No SEPA conditioning is necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675A.

Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased height, bulk and scale on the site; increased demand for public services and utilities; increases in carbon dioxide and other greenhouse gas emissions and increased light and glare.

Long-term impacts such as this are typical of this type of project and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are the: Stormwater, Grading and Drainage Control Codes; and the Land Use Code (aesthetic impacts).

Air

Emissions from the generation of greenhouse gases due to the increased energy demands and existing transportation may be adverse but are not expected to be significant due to the relatively minor contribution of emissions from this specific project. The other impacts such as but not limited to, increased height, bulk and scale, ambient noise, and increased demand on public services and utilities are mitigated by codes and are not sufficiently adverse to warrant further mitigation by condition.

DECISION - SEPA

The responsible official on behalf of the lead agency made this decision after review of a completed environmental checklist and other information on file with the department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

CONDITIONS – ADMINISTRATIVE CONDITIONAL USE PERMIT

Prior to MUP Issuance

1. Indicate on the site plan the location of the proposed loading/unloading area on 24th Avenue South.

Prior to Occupancy

2. Provide to the Building Inspector a copy of the SDOT approval for the loading and unloading area adjacent to 24th Avenue South.

CONDITIONS – SEPA

The Environmental Checklist, Master Use Permit plans submitted for the project, public comment, and responses to requests for information all comprise DPD's record. Pursuant to SMC 25.05.600.D, DPD relies on the environmental documents and technical reports prepared by the Parks Department in their role as lead agency. The SEPA conditions listed below are imposed based on Master Use Permit (MUP) plans as well as on all environmental documentation submitted to date.

During Construction

The following conditions to be enforced during construction shall be posted at each street abutting the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions shall be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

3. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to non-holiday weekdays between 7:00 A.M and 6:00 P.M. Construction truck traffic may only access or leave the site between 7:00 A.M. and 6:00 P.M. to avoid conflicts with neighborhood residential traffic. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on the nearby neighborhood and residential establishments, only the low noise impact work (i.e. landscaping and reseeded) shall be permitted on Saturdays from 9:00 A.M. to 5:00 P.M. Exceptions can be made to the restrictions on a case-by-case basis and only if prior approval is granted by DPD. Requests for exceptions to allow weekend work shall be filed with DPD Noise Inspection Staff at least 5 working days prior to the requested weekend day.

Signature: (signature on file)
Craig Flamme, Land Use Planner
Department of Planning and Development

Date: March 12, 2009